N THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY FIFTH DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 653 of 2005

Between:

Smt. Kappala Lakshmi, Wife of Sri Rushibabu, Hindu,
Residing at Kasipatnam Village, Ananthagiri Mandal,

Visakhapatnam District.

..... PETITIONER

AND

The Special Deputy Collector,

Tribal Welfare, Paderu - 531 024,
Visakhapatnam District.

.....RESPONDENT

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate Writ, order or direction, in the nature of Mandamus, declaring the action of the respondent in forcibly trying to dispossess the petitioner from the land of an extent of Ac. 17.41 cents situated at Pallamuvani Valasa, and an extent of Ac.4.03 cents situated at Kasipatnam Village, Bearing Survey Nos. 6A, 6B, 6C and Sy.No.7 correlated to Sy.No. 1/2, of Pallamuvani Valasa and Sy. No.1 of Kasipatnam Village, respectively, as being illegal unjust, arbitrary and liable to be interdicted.

Counsel for the Petitioner: MR.E.V.BHAGIRATHA RAO

Counsel for the Respondent: GP FOR SOCIAL WELFARE

The Court at the admission stage made the following :

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ORDER:

This Writ Petition is filed seeking to declare the action of the respondent in forcibly trying to dispossess the petitioner from the land of an extent of Ac.17.41 cents situated at Pallamuvani Valasa and an extent of Ac.4.03 cents situated at Kasipatnam village, bearing Survey Nos.6A, 6B, 6C and Sy.No.7 correlated to Sy.No.1/2 of Pallamuvani Valasa and Sy.No.1 of Kasipatnam village respectively, as illegal, unjust and arbitrary.

2. Heard the learned counsel for the petitioner and the learned Government Pleader for Social Welfare.

3. The respondent issued a notice dated 31-12-2004 directing the petitioner herein to appear before him on 05-01-2005 with regard to the dispute of land. In pursuance of the said notice, the petitioner appeared before the Collector and gave a representation along with the relevant documents. Therefore, appropriate decision has to be taken by the respondent in accordance with law.

4. Without going into the merits of the case, the Writ Petition is disposed of with a direction to the respondent to pass appropriate orders in pursuance of the notice to the petitioner dated 31-12-2004 and the representation made by the petitioner on 05-01-2005 along with all the relevant documents in accordance with law within a period of one month from the date of receipt of a copy of this order. No costs.

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(K.C.BHANU,J)

25th January, 2005.

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To

1 The Special Deputy Collector,

Tribal Welfare, Paderu - 531 024,
Visakhapatnam District.

2 Two CCs to the Government Pleader for Social Welfare, High

Court Buildings, Hyderabad. (OUT)

3 Two CD copies.